

ARBITRATION

Convention signed at Washington April 4, 1908

Senate advice and consent to ratification April 22, 1908

Ratified by the United Kingdom May 4, 1908

Ratified by the President of the United States May 11, 1908

Ratifications exchanged at Washington June 4, 1908

Entered into force June 4, 1908

Proclaimed by the President of the United States June 5, 1908

Extended by agreements of May 31, 1913,¹ June 3, 1918,² and June 23, 1923³

Expired June 4, 1928

35 Stat. 1960; Treaty Series 494

The President of the United States of America and His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, desiring in pursuance of the principles set forth in Articles 15–19 of the Convention for the pacific settlement of international disputes, signed at The Hague July 29, 1899,⁴ to enter into negotiations for the conclusion of an Arbitration Convention, have named as their Plenipotentiaries, to wit:

The President of the United States of America, Elihu Root, Secretary of State of the United States, and

His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, The Right Honorable James Bryce, O. M.,

who, after having communicated to one another their full powers, found in good and due form, have agreed upon the following articles:

ARTICLE I

Differences which may arise of a legal nature or relating to the interpretation of treaties existing between the two Contracting Parties and which it may

¹ TS 587, *post*, p. 362.

² TS 635, *post*, p. 388.

³ TS 674, *post*, p. 406.

⁴ TS 392, *ante*, vol. 1, p. 230.

not have been possible to settle by diplomacy, shall be referred to the Permanent Court of Arbitration established at The Hague by the Convention of the 29th of July, 1899, provided, nevertheless, that they do not affect the vital interests, the independence, or the honor of the two Contracting States, and do not concern the interests of third Parties.

ARTICLE II

In each individual case the High Contracting Parties, before appealing to the Permanent Court of Arbitration, shall conclude a special Agreement defining clearly the matter in dispute, the scope of the powers of the Arbitrators, and the periods to be fixed for the formation of the Arbitral Tribunal and the several stages of the procedure. It is understood that such special agreements on the part of the United States will be made by the President of the United States, by and with the advice and consent of the Senate thereof; His Majesty's Government reserving the right before concluding a special agreement in any matter affecting the interests of a self governing Dominion of the British Empire to obtain the concurrence therein of the Government of that Dominion.

Such Agreements shall be binding only when confirmed by the two Governments by an Exchange of Notes.

ARTICLE III

The present Convention shall be ratified by the President of the United States of America by and with the advice and consent of the Senate thereof, and by his Britannic Majesty. The ratifications shall be exchanged at Washington as soon as possible, and the Convention shall take effect on the date of the exchange of its ratifications.

ARTICLE IV

The present Convention is concluded for a period of five years, dating from the day of the exchange of its ratifications.

Done in duplicate at the City of Washington, this fourth day of April, in the year 1908.

ELIHU ROOT	[SEAL]
JAMES BRYCE	[SEAL]